

PETITION FOR ZONING RE-CLASSIFICATION SPECIAL EXCEPTION AND/OR VARIANCE

TO THE COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition (1) that the zoning status of the herein described property be re-classified, pursuant to the Zoning Law of Baltimore County, from an DR3.5 zone to an BL zone, for the reasons given in the attached statement; and (2) for a Special Exception, under the said Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property, for

and (3) for the reasons given in the attached statement, a variance from the following sections of the Zoning Law and Zoning Regulations of Baltimore County:

Property is to be posted and advertised as prescribed by The Baltimore County Code.

I, or we, agree to pay expenses of above Re-classification, Special Exception and/or Variance, posting, etc., up to filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser: Legal Owner(s):
(Type or Print Name) Falls Fairfield Limited Partnership
Signature Michael P. Goodrich,
General Partner
Address (Type or Print Name)
City and State Signature
Attorney for Petitioner:
John B. Howard 1227 Lake Avenue 377-7000
(Type or Print Name) Address Phone No.
Signature Baltimore, Maryland 21204
City and State
210 Allegheny Avenue
Address
Towson, Maryland 21204
City and State
Attorney's Telephone No.: 923-4111
Name, address and phone number of legal owner, tract purchaser or representative to be contacted:
John B. Howard
Name 210 Allegheny Avenue
Towson, Maryland 21204
Address Phone No.

BABC - Form 1

FALLS FAIRFIELD LIMITED PARTNERSHIP #R-87-97
Item #11, Cycle III, 1986
SE from the corner of Lake Ave. and Stanton Ave. 9th District
DR 5.5 to B.L. 0.58 acres

Feb. 28, 1986 Petition filed

John B. Howard, Esquire Counsel for Petitioner
210 Allegheny Ave. (21204)
Michael P. Goodrich, General Partner Petitioner
Falls Fairfield Ltd. Partnership
1227 Lake Avenue (21209)
James Earl Kraft
Baltimore County Board of Education
212 Allegheny Road (21204)
940 YORK
Phyllis Cole Friedman People's Counsel
Norman E. Gerber
James G. Hoswell
Arnold Jablon
Jean M. H. Jung
James E. Dyer
H. B. Caldwell
1216 Lake Falls Road
Baltimore, MD. 21210
Pres. Lake Falls Improve. Assoc.
Kenneth F. Davies, Esq.
Sun Life Building
Charles Center (21201)
Counsel for Protestants
(Ruxton-Riderwood-Lake Roland
Area Improvement Assn.)

PETITION FOR RECLASSIFICATION
of Baltimore County
Property located at Stanton and Lake Avenues
Existing zoning: DR3.5
Proposed zoning: BL
Falls-Fairfield Limited Partnership

LAW OFFICES
COOK, HOWARD, DOWNES & TRACY
210 ALLEGHENY AVENUE
P.O. BOX 55-7
TOWSON, MARYLAND 21204
February 27, 1986
JAMES H. COOK
JOHN B. HOWARD
DAVID D. DOWNES
DANIEL DE TRACY, JR.
JOHN H. ZINK, III
JOSEPH C. WICH, JR.
HENRY B. RECH, JR.
HERBERT R. O'CONOR, III
THOMAS L. HUDSON
C. CARNEY DELEY, JR.
GEORGE R. REYNOLDS, III
LAWRENCE L. HOOVER, JR.
M. KING HILL, III
ROBERT A. HOFFMAN
DEBORAH C. DOPPIN
CYNTHIA M. HANN
KATHLEEN M. CALLOGLY
KEVIN W. SMITH
H. BARNETT PETERSON, JR.

The County Board of Appeals
of Baltimore County
Second Floor
Old Court House
Towson, Maryland 21204

Re: Petition for Reclassification
Property located at Stanton and Lake Avenues
Existing zoning: DR3.5
Proposed zoning: BL
Falls-Fairfield Limited Partnership

Dear Board Members:

This firm represents the Falls-Fairfield Limited Partnership, owner of the parcels in proximity to the intersection of Lake Avenue and Falls Road as outlined in red on the accompanying plats.

It will be noted from the plats that Falls-Fairfield's ownership is comprised of a parcel designated "A" located on the west side of Falls Road which is currently zoned BL, and a larger parcel located on the east side of Falls Road currently zoned BL and DR3.5 with the BL portion designated "B", and the DR3.5 portion, which is the subject of this request, designated "C".

An out parcel located at the southeast corner of Lake Avenue and Falls Road is improved by an attractive colonial-type two story office structure and is occupied by one of the principals of Falls-Fairfield.

The County Board of Appeals
of Baltimore County
Falls-Fairfield Limited Partnership
February 27, 1986
Page 2

Falls-Fairfield is desirous of developing a small, campus-like business park on their property. The contemplated low profile park would be developed in a manner architecturally compatible with the existing colonial structure with appropriate landscaping and other amenities.

It is respectfully submitted that the Council committed error in dividing the partnership's property on the east side of Falls Road by the BL-DR3.5 zoning line. Rather, a logical approach should have extended the BL zoning from the north.

By so limiting the depth of the BL zone the only feasible utilization would be for strip commercial uses. To avoid that type of development, with its substantially greater traffic generation and other undesirable attributes, the Council should have zoned the entire parcel BL thus allowing a project such as that contemplated herein, which will aesthetically conform with the existing neighboring structure and the Lake Falls Shopping Center on the opposite side of Falls Road. Moreover, the proposed use will greatly enhance the appearance of the neighborhood over that which presently exists or that which would otherwise be developed as strip commercial.

Falls-Fairfield plans to initiate Phase I of the project which will be an office use within the "B" portion of its property. It is able to do so only because it acquired parcel "A" to accommodate parking. Phase I will only prove economically viable if tied to the future development of parcel "C" which is the subject of this Re-classification. The new owners, nonetheless, are willing to undertake the inherent risk of initiating Phase I with the hope that the Board will see the logic of this request.

Petitioners are seeking the BL classification rather than an office classification to permit a very limited amount of commercial space in Phase I to accommodate, in part, an existing retail use on the property and to avoid its relocation.

The Petitioners have met with members of the immediate neighborhood and have offered to impose restrictive covenants on their property to assure compatible development.

Respectfully submitted,

John B. Howard

John B. Howard

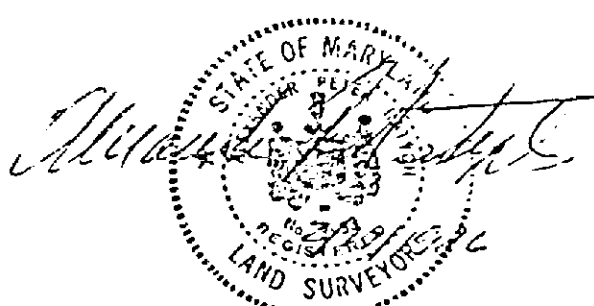
JBH/jhr
Enclosure

associates, inc.
surveyors-engineers

DESCRIPTION OF PROPERTY
TO ACCOMPANY PETITION FOR RECLASSIFICATION
LAKE AVENUE AND STANTON AVENUE
NINTH ELECTION DISTRICT, BALTIMORE COUNTY, MARYLAND

BEGINNING FOR THE SAME at the corner formed by the intersection of the South side of Lake Avenue, 50 feet wide, and the West side of Stanton Avenue, 16 feet wide; thence running with the West side of Stanton Avenue South 13 degrees 02 minutes 00 seconds East 283.97 feet; thence leaving Stanton Avenue and running South 75 degrees 06 minutes 30 seconds West 55.0 feet; thence North 13 degrees 02 minutes 00 seconds West 207.90 feet, thence South 75 degrees 06 minutes 30 seconds West 50.0 feet; thence North 13 degrees 02 minutes 00 seconds West 87.98 feet to intersect the South side of Lake Avenue; thence binding thereon North 81 degrees 35 minutes 50 seconds East 105.26 feet to the point of beginning; containing 0.46 acres more or less.

2/17/86



7427 harford road baltimore, md. 21234 tel: 301 444 4312

IN THE MATTER OF THE PETITION : BEFORE THE COUNTY BOARD OF APPEALS
FOR ZONING RECLASSIFICATION : OF BALTIMORE COUNTY
FROM D.R. 5.5 TO B.L. ZONE :
SE Corner of Lake and Stanton :
Aves., 9th District :
FALLS FAIRFIELD LIMITED : Case No. R-87-97 (Item 11, Cycle III)
PARTNERSHIP, Petitioner :
: : : : :
ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Phyllis Cole Friedman
Phyllis Cole Friedman
People's Counsel for Baltimore County

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel
Room 223, Court House
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 5th day of August, 1986, a copy of the foregoing Entry of Appearance was mailed to John B. Howard, Esquire, 210 Allegheny Ave., Towson, MD 21204, Attorney for Petitioner.

Peter Max Zimmerman
Peter Max Zimmerman

PETITION FOR RECLASSIFICATION
Case No. R-87-97

LOCATION: Southeast from the Corner of Lake Avenue and Stanton Avenue

PUBLIC HEARING: Thursday, October 16, 1986, at 10:00 a.m.

The County Board of Appeals for Baltimore County, by authority of the Baltimore County Charter, will hold a public hearing:
To reclassify the property from a D.R. 5.5 Zone to a B.L. Zone

All that parcel of land in the 9th Election District of Baltimore County

BEGINNING FOR THE SAME at the corner formed by the intersection of the centerline of Lake Avenue, 50 feet wide, with the centerline of Stanton Avenue, 16 feet wide, thence running with the centerline of Stanton Avenue South 13 degrees 02 minutes 00 seconds East 309.0 feet; thence leaving Stanton Avenue and running South 75 degrees 06 minutes 30 seconds West 63.0 feet; thence North 13 degrees 02 minutes 00 seconds West 207.90 feet; thence South 75 degrees 06 minutes 30 seconds West 50.00 feet; thence North 13 degrees 02 minutes 00 seconds West 113.0 feet to a point in the centerline of Lake Avenue; thence binding thereon North 81 degrees 35 minutes 50 seconds East 113.3 feet to the point of beginning; containing 0.58 feet more or less.

Being the property of Falls Fairfield Limited Partnership as shown on the plat plan filed with the Zoning Department.

BY ORDER OF
WILLIAM T. HACKETT, CHAIRMAN
COUNTY BOARD OF APPEALS
BALTIMORE COUNTY

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

William T. Hackett, Chairman
TO: County Board of Appeals Date: November 21, 1986
Norman E. Gerber, AICP, Secretary
FROM: Baltimore County Planning Board

Amended Zoning Reclassification Petition R-87-97
SUBJECT: (Cycle III, Item II) Falls-Fairfield Limited Partnership
S/E corner of Lake and Stanton Avenues

At its regular meeting on Thursday, November 20, 1986, the Baltimore County Planning Board reviewed this amended petition requesting a change from D.R. 5.5 to R.O. zoning. The Board reaffirmed its prior recommendation that the existing zoning, D.R. 5.5, be retained.

Norman E. Gerber
Norman E. Gerber, AICP
Secretary

NEG:slt

cc: John B. Howard, Esquire
Phyllis Cole Friedman
J.G. Hoswell

RECEIVED
COUNTY BOARD OF APPEALS
NOV 24 1986

CPS-008



County Board of Appeals of Baltimore County

COUNTY OFFICE BUILDING, ROOM 315
111 W. CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204
(301) 887-3180

February 22, 1989

John B. Howard, Esquire
COOK, HOWARD, DOWNES & TRACY
Post Office Box 5517
Towson, MD 21204

RE: Case No. R-87-97
Falls-Fairfield Ltd. Partnership

Dear Mr. Howard:

The Board has completed an audit of pending cases before it, and has located the above-referenced Petition for Reclassification, on which you appear as Petitioner's legal representative. This Petition was filed with the Board prior to the County Council's enactment of the 1988 Comprehensive Zoning Maps. In view of this subsequent enactment by the Council, your Petition for Reclassification of the subject property is moot. The Board will therefore withdraw your Petition from its docket of pending cases and close our file.

Please contact me within fifteen (15) days from the date hereof if you have any questions, comments or objections to same.

Very truly yours,

William T. Hackett
William T. Hackett, Chairman
County Board of Appeals

cc: Robert A. Hoffman, Esquire
Michael P. Goodrich, General Partner
Falls-Fairfield Ltd. Partnership
James Earl Kraft
Phyllis C. Friedman, Esquire
H. B. Jaldwell
(Lake Falls Improvement Assn.)
Kenneth F. Davies, Esquire
P. David Fields
Pat Keller
J. Robert Haines
Ann M. Nastarowicz
James E. Dyer
Docket Clerk - Zoning
Arnold Jablon, County Attorney

LAW OFFICES

COOK, HOWARD, DOWNES & TRACY
210 ALLEGHENY AVENUE
P.O. BOX 5517
TOWSON, MARYLAND 21204

HAND DELIVERY

December 18, 1986

William T. Hackett, Chairman
County Board of Appeals of Baltimore County
Old Court House
2nd Floor
Towson, Maryland 21204

Re: Case No.: R-87-97 (Item II, Cycle III)
Falls-Fairfield Limited Partnership, Petitioner

Dear Mr. Hackett:

As you may be aware, a hearing has been scheduled on December 30, 1986 at 9:30 a.m. for purposes of continuing the above referenced case. At that time, we anticipated amending our client's, the Petitioner's, request by filing a detailed site plan, as well as a Petition for Special Exception for a class B office building in a R-O zone. However, certain issues have arisen which, I feel, require the Board's attention.

First, Thomas Bollinger, Assistant County Attorney, has indicated that, in his opinion, any amendment to a Request for Reclassification must be made within that cycle (i.e. any amendments, including any documentation, must, in this case, be made before December 31, 1986).

Although the appropriate amended documentation will be prepared by December 30 and ready for the hearing before the Board, its' filing will cause an apparent procedural dilemma.

If Petitioner amends on December 30 and files the detailed site plan and Petition for Special Exception, and the petitions are granted, the Petitioner will be wedded to the detailed site plan before the CRG has had an opportunity to comment. If changes are required for CRG approval, then another hearing before the Board would be required to amend the Reclassification and Special Exception.

On the other hand, representatives of the CRG have stated that they will not provide formal comments or approve a plan conditioned upon obtaining the proposed reclassification. Further, if the Petitioner goes to the CRG first, even assuming that informal

JAMES D. C. DOWNES
(301) 887-3180
TELEPHONE
(301) 887-3180
TELECOPIER
(301) 887-3180

William T. Hackett, Chairman
County Board of Appeals of Baltimore County
December 18, 1986
Page 2

comments could be obtained, the Assistant County Attorney's current position is that the Petitioner would not be permitted to file the amended detailed site plan and Petition for Special Exception, since the last day in Cycle III will have passed.

Additionally, Petitioner is specifically aware of one major concern that involves Stanton Avenue, a road which abuts the subject property to the north. Unless a Waiver from Standards is obtained so that improvements will not have to be made to Stanton Avenue as a "street" (requirements for improvements to a "street" are much more extensive than those required for an "alley") the contemplated development may be impractical.

Petitioner requests that the Board consider allowing a continuance of this case on December 30, 1986, to a subsequent date in 1987 following dispensation of the Planning Board on the Waiver from Standards for Stanton Avenue, and, hopefully, following formal comments by the CRG.

To that end, I have contacted Tom Bollinger to discuss the possibility of having the CRG give formal comments to the proposed conceptual plan and either approve a plan conditioned upon obtaining the appropriate zoning reclassification, or Petitioner would agree to withdraw the plan prior to the actual CRG meeting.

Alternatively, Petitioner would ask the Board to request a review of and comments on the detailed site plan by the CRG, (as an exception to their current policy) before the Board's hearing to accept the plan and Petition for Special Exception.

I hope that this letter provides enough background for the Board to make a decision, but I would be happy to meet with the Board, Mr. Bollinger and People's Counsel in order to further discuss the above issues.

Thank you for your time and attention to this matter.

Yours truly,

Robert A. Hoffman
Robert A. Hoffman

RAH:bw

cc: Thomas J. Bollinger, Assistant County Attorney
Phyllis Cole Friedman, People's Counsel
Peter Max Zimmerman, Deputy People's Counsel
John H. Bremerman, Esquire
William Meyers, II

RECEIVED
COUNTY BOARD OF APPEALS
DEC 18 P 1:01

LAW OFFICES
COOK, HOWARD, DOWNES & TRACY
210 ALLEGHENY AVENUE
P.O. BOX 5517
TOWSON, MARYLAND 21204

October 16, 1986

JAMES D. C. DOWNES
(301) 887-3180
TELEPHONE
(301) 887-3180
TELECOPIER
(301) 887-3180

The County Board of Appeals
of Baltimore County
Room 290, Court House
Towson, Maryland 21204

Re: Petition for Reclassification
Property located at Stanton and Lake Avenues
Existing zoning: R-5.5
Amended Proposed zoning: R-O
Falls-Fairfield Limited Partnership, Petitioner
Case No.: R-87-97 (Item II, Cycle III)

Dear Board Members:

As you are aware, this firm represents the Falls-Fairfield Limited Partnership, ("Falls-Fairfield") owner of the parcels in proximity to the intersection of Lake Avenue and Falls Road as outlined on the plats which were originally filed in the above referenced case.

It should again be noted from the plats previously submitted that Falls-Fairfield's ownership is comprised of a parcel designated "A" located on the west side of Falls Road which is currently zoned B-L, and a larger parcel located on the east side of Falls Road currently zoned B-L and D-R5.5 with the B-L portion designated "B", and the D-R5.5 portion, which is the subject of this request, designated "C".

After many discussions with the Office of Planning staff and a review of the surrounding area, it was decided that the subject Petition should be amended to request an R-O zone for the subject parcel rather than B-L to assume compatibility with neighboring residential uses.

The County Board of Appeals
of Baltimore County
October 16, 1986
page 2

Falls-Fairfield intends to develop a small, office building on their property. The contemplated low profile park would be developed in a manner architecturally compatible with the existing colonial structure with appropriate landscaping and other amenities.

It is respectfully submitted that the Council committed error in dividing the partnership's property on the east side of Falls Road by the BL-DR5.5 zoning line. Rather, a more logical approach should have provided a buffer area of R-O zoning between the A-L zone and the residential uses to the east.

By so limiting the depth of the B-L zone the only feasible utilization would be for strip commercial uses protecting the residential neighborhood to the east with a buffer. Allowing a project such as that contemplated herein, which will aesthetically conform with the existing neighboring structure and the Lake Falls Shopping Center on the opposite side of Falls Road, will greatly enhance the appearance of the neighborhood over that which presently exists.

Finally, the Petitioners have met with members of the immediate neighborhood and have offered to impose restrictive covenants on their property to assure compatible development.

Respectfully submitted,

John B. Howard
John B. Howard

JBH/jhr

6/2/86
Dear Sirs:-
I would be distressed to see any further commercial development in my neighborhood! I hope you will reconsider.
Most Sincerely,
Georgia Harris

MRS. H. C. DAVIS
6029 HOLLINS AVE.
BALTIMORE, MD.
21210

Board of Appeals
Baltimore County

Subject: Case # R87-97

Please be advised that I am in opposition to the rezoning petition Case # R87-97. The area in question has remained the same since 1959 when I moved into the neighborhood and a commercial classification would negatively affect my residential property and of my neighborhood.

Sincerely,
Ellen Parsons

September 22, 1986

Mrs. John R. Sherwood
7 Devon Hill Rd., Apt. 5-A, Baltimore, Maryland 21210

Board of Appeals
Baltimore County
Old Court House
Towson, Maryland 21204
Re: Case # R-87-97

I am strongly opposed to the change in zoning of the property south of Lake Avenue and adjacent to Stanton Avenue. The property is currently zoned as residential and should remain that way.

The rezoning of this property could present serious traffic problems not only to the residents of this area but to the students at Bays Latin.

Sincerely,
Virginia B. Sherwood

RECEIVED
COUNTY BOARD OF APPEALS
OCT 16 AM 10:04

DON W. MAYBORN
1800 W. LAKE AVENUE
BALTIMORE, MARYLAND 21210

September 22, 1986

Board of Appeals
Baltimore County
Old Court House
Towson, MD 21204

Gentlemen:

I am writing this letter to express my opposition to revision in the zoning classification, Cycle III, 1986, Case #R87-97.

I own the property directly across Lake Avenue from the property for which the Falls Fairfield Ltd. Partnership seeks rezoning. My house is the last house in the Lake Falls development facing on Lake Avenue. I have always considered my property as the keystone which keeps the whole development from sinking into complete commercialization. I fought the original spot zoning of the road directly below me next to Falls Road which is currently occupied by Pepes Drive-in. We lost the case, but we were able to secure certain concessions which made the drive-in tolerable. I personally erected a concrete block fence and planted 12 sugar maples along the property line. The owner of the drive-in was required on his part to plant hemlocks. Together they screened out the view of the drive-in but, of course, did not prevent the odor of fried onions etc.

A change in the zoning of the property as referred to above prevents major problems not only for my property but for our entire Lake Falls development for the following reasons:

- 1) The increase in traffic flow, which would result from the buildings contemplated, would make the traffic on Lake Avenue chaotic. It is so severe at the present time that there is constant threat of a traffic jam especially during school days. The County traffic engineer claims to have surveyed Lake Avenue traffic during the current year. I think he must have been confused with the Falls Road survey since I recall nothing having been done on a Lake Avenue survey.

SEP OCT 16 AM 10 04
Baltimore County
Old Court House
Towson, MD 21204

Amelia Andrus
6010 LAKE MANOR DRIVE
BALTIMORE, MARYLAND 21210

Oct. 6, 1986

Janice Scrimly
P.O. Box 204
Bidenwood, Md. 21139

Dear Madam:

I am writing as a concerned citizen to urge you to uphold the decision of the Baltimore County Planning Board denying the petition to rezone Lake Ave. & Stanton Ave. to a commercial classification. The traffic problems that would result from a highly desirable neighborhood. The traffic problems that would result from commercial zoning would be nightmarish, especially during winter months when that stretch of Lake Ave. is particularly hazardous.

Please deny commercial reclassification to the petition of the Falls Fairfield Limited Partnership.

Sincerely,
Amelia (Mrs. Reubin) Andrus

SEP OCT 16 AM 10 04
Baltimore County
Old Court House
Towson, MD 21204

Mantha Diener Ramsey
6009 Lake Manor Drive
Baltimore, Maryland 21210

19 September '86

Board of Appeals
Baltimore County
Old Court House
Towson, Md 21204

Dear Sirs and Madames:

On behalf of the four residents of my household, I wish to express our strong opposition to any zoning changes from residential to business on Lake Avenue. We regret the rapidly changing zoning on Lake Roads near Lake Avenue; however, we can live with limited changes there. Not so for Lake Ave!

Please consider our plea that commercial uses not be introduced into residential areas.

Sincerely,
Mantha P. Ramsey

SEP OCT 16 AM 10 04
Baltimore County
Old Court House
Towson, MD 21204

1233 Lake Falls Road
Baltimore, Maryland 21210
September 20, 1986

Board of Zoning Appeals
Court House
Towson, Maryland 21210

Dear Members:

My husband & I, residents of Lake Falls for twenty-seven years, are totally opposed to the rezoning petition of Case #R87-97.

The appeal it because of the increased traffic congestion it would cause on Lake Ave., which is already overburdened. Our chief concern, however, is the parking situation we are already experiencing because of commercial development in the entire Lake Avenue and Falls Road area.

Our home is located on the western end of Lake Falls Road. It already willingly share our limited parking space with residents in three of the older Lake Ave. homes that have no off street parking. However, we resent people working at that counseling service (S.E. corner of Lake Ave. & Falls Rd.) using our street for parking so that their clients can use

their parking lot. We also resent employees of Pope's Drive-In (N.E. corner of Lake Ave. & Falls Rd.) for parking in front of us in order to get space on their parking lot. Periodically we get the overflow of parking from the Lake Falls Village. If this continues, our residents won't have any parking space at all.

Kindly consider our plight in your deliberations.

Very truly yours,
Doris S. Lissner
(Mrs. Robert J.)

SEP OCT 16 AM 10 04
Baltimore County
Old Court House
Towson, MD 21204

PETER OROSZLAN, M.D.
6116 BUCKINGHAM MANOR DRIVE
BALTIMORE, MARYLAND 21210

September 22, 1986

Board of Appeals
Baltimore County
Old Court House
Towson, Md. 21204

CASE # R87-97

Dear Board Members,

This is to express our strong and total opposition to a petition that would allow rezoning a piece of residential property immediately south of Lake Avenue and adjacent to Stanton Avenue.

Sincerely

Dr. and Mrs. Peter Oroszlan

SEP OCT 16 AM 10 04
Baltimore County
Old Court House
Towson, MD 21204

Board of Zoning Appeals
Court House
Towson, Maryland 21204

Re: Zoning Reclassification Petition, Cycle III, 1986 - Case #R87-97

Gentlemen:

I have resided in the Lake Falls area for 38 years and am opposed to the rezoning petition of Case #R87-97.

I feel that any reclassification would subject this area to further commercial growth in an already congested situation involving extremely heavy traffic and parking problems.

You may already know that Lake Avenue is more heavily travelled than ever due to the schools, Devon Hill, other increased housing and the building that houses a counseling service at the corner of Lake Avenue and Falls Road.

All of this causes a parking problem, since Lake Avenue is posted for no parking and the residents there, in addition to people using the services of the already existing commercialism use our street for parking.

I feel that to reclassify this property would be to destroy a lovely little area and we all need to be exposed to something more than just concrete and buildings.

I ask you to please consider us in your decision and to reject this reclassification petition.

Very truly yours

Janice V. Foessel

SEP OCT 16 AM 10 04
Baltimore County
Old Court House
Towson, MD 21204

1238 Lake Falls Road
Baltimore, Md. 21210
September 23, 1986

Amelia Andrus
6010 LAKE MANOR DRIVE
BALTIMORE, MARYLAND 21210

Oct. 6, 1986

Board of Appeals
Baltimore County
Old Court House
Towson, Md. 21204

Dear Colleagues:

I am writing as a concerned citizen to urge you to uphold the decision of the Baltimore County Planning Board denying the petition to rezone Lake Ave. & Stanton Ave. to a commercial classification. The traffic problems that would result from a highly desirable and high traffic-paying neighborhood. The traffic problems that would result from commercial zoning would be nightmarish, especially during winter months when that stretch of road from Lake Ave. to Lake Ave. is particularly hazardous.

Please deny commercial reclassification to the petition of the Falls Fairfield Limited Partnership.

Sincerely,
Amelia (Mrs. Reubin) Andrus

SEP OCT 16 AM 10 04
Baltimore County
Old Court House
Towson, MD 21204

1225 LAKE FALLS ROAD
BALTIMORE, MARYLAND 21210

September 25, 1986

The Board of Appeals
Baltimore County
Old Court House
Towson, Maryland 21204

Gentlemen:

We are residents of the Lake Falls Community located east of the intersection of Falls Road and Lake Avenue in Baltimore County. We have been advised that the Board of Appeals is considering an appeal from the Planning Board's recommended denial of a petition for reclassification, cycle 3, 1986, Case #R87-97 filed by or on behalf of Falls Fairfield Limited Partnership. A public hearing is to be held on this reclassification petition on October 16, 1986. This letter is to advise you of our strong opposition to this petition. Lake Falls and the entire Lake Avenue corridor between Roland Avenue and Falls Road is a stable, well-maintained upper middle class residential neighborhood and we want it to remain as such. Approval of the referenced reclassification will open avenues for commercial exploitation in this stable residential area.

We are opposed to this reclassification, ask that the petition be denied and request that you continue to do everything possible to limit commercial development on the Lake Avenue corridor to Falls Road.

Very truly yours,

Timothy H. Hershberger
Gary Marino

/tlm
cc: Barbara F. Bachur

SEP OCT 16 AM 10 03
Baltimore County
Old Court House
Towson, MD 21204

Arthur J. Gutman
7 DEVON HILL ROAD
BALTIMORE, MD 21210

September 24, 1986

Board of Appeals,
Baltimore County,
Old Court House,
Towson, Maryland 21139.

Re: Zoning Change for Falls Fairfield Limited Partnership.

Gentlemen and Mesdames:

On behalf of my wife and myself I wish to express my objection to any change in the zoning desired by the above Partnership to the property located S/E from the corner of Lake & Stanton Avenues, (near the intersection of Lake and Falls Road).

In addition to removing residential property from this area, the proposed zoning change would also increase the traffic pattern, which at the present time is very heavy, and which necessitate a widening of the road if the traffic increases.

Finally, my wife and I have moved to the County from the City due to the overcommercialization of our old neighborhood on Cold Spring Lane, which caused unbearable traffic. We had hoped to avoid this in the County.

Thank you for your consideration.

yours truly,

Arthur J. Gutman

RICHARD BUTCHOK
ATTORNEY AT LAW
SUITE 400 TITLE BUILDING
110 ST. PAUL STREET
BALTIMORE, MARYLAND 21202
308 752-3455

September 24, 1986

Board of Appeals of Baltimore County
Old Court House
Towson, Maryland 21204

Re: Case No. R87-97

To Whom It May Concern:

Our family resides at 6005 Lakehurst Drive, approximately one-half mile east of the property which is requesting a zoning change from D.R.5.5 to B.L.

We have resided in this beautiful, quiet area for eight years. The traffic on Lake Avenue, between Roland and Falls, was extremely light when we first moved here. Over the last eight years, the traffic has gotten so heavy and so fast that you now regularly see Baltimore County police officers setting up their radar on Lake Avenue to catch speeders. The only thing that slows it down is the sheer volume of traffic. The reasons for the increase in traffic are many: Lake Falls Village, Devon Hill Development, a real estate office on the corner of Falls and Lake; the expansion of Pepe's restaurant; the expansion of Pinks Liquors; and the expansion of the attendance at Boys' Latin School. On Roland Avenue, the old St. Vincent's was converted to condominiums and additional condominium units were built which further increased the traffic on Lake Avenue.

Although development and full use of property is desirable to a point for increasing the tax base and providing services to local residents, there comes a point when that development becomes counter-productive and creates eyesores and nuisances to the point where the area is no longer attractive, and ultimately there is a diminution of property values, with the consequent lessening of tax revenues and desirability of the neighborhood.

Please take this into account in your decision of the Falls Fairfield Limited Partnership's request for zoning change, presently

RICHARD BUTCHOK
ATTORNEY AT LAW

Board of Appeals
September 24, 1986
Page -2-

Re: R87-97

before you in this case.

Thank you for your consideration.

Very truly yours,

Richard Butchok

RB/kaf

Board of Appeals
Baltimore County
Old Court House
Towson, Maryland 21204
September 30, 1986

Dear Board Members:

I am writing you as a resident of Lake Falls Road in response to the zoning request for Lake and Stanton Avenues from D.R. 5.5 to B.L. (case # R87-97). I am an advocate for denying the recommendation of the petition to change the zoning.

Further commercialization of this already congested intersection is not compatible with the residential lifestyle of the surrounding area. Please deny the request for a zone change.

Sincerely,

Robin Prothro, R.N., M.P.H.
Jim Levy, D.D.S.
1223 Lake Falls Road



County Board of Appeals of Baltimore County

Room 200 Court House
Towson, Maryland 21204
(301) 494-3180

September 24, 1986

Kenneth F. Davies, Esquire
Sun Life Building
Charles Center
Baltimore, MD 21201

Re: Case No. R-87-97
Falls Fairfield Ltd. Partnership

Dear Mr. Davies:

It has been brought to the Board's attention by the Petitioner's attorney that on October 16, 1986, the scheduled date for the hearing on the above entitled case, the Petitioner intends to amend his petition from D.R. 5.5 to B.L. to D.R. 5.5 to R.O.

Baltimore County regulations mandate that any amendment or change must be presented in open hearing, and the hearing must be continued to permit comments by the proper Baltimore County authorities on the change.

Consequently, on October 16th, the Petitioner will submit his amended petition, the Board will continue the hearing as required by law and no testimony or evidence regarding the request will be taken. Due notice will be sent to all parties relative to the rescheduled hearing date.

Very truly yours,

William T. Hackett
William T. Hackett, Chairman

cc: H. B. Caldwell
John B. Howard, Esquire
Michael P. Goodrich
James Earl Kraft
Phyllis Cole Friedman
Norman E. Garber
James G. Hoswell
Arnold Jablon
Jean M. H. Jung
James E. Dyer

1216 LAKE FALLS ROAD
BALTIMORE, MD.
JULY 23, 1986

COUNTY BOARD OF APPEALS
ROOM 200
COURTHOUSE
BALTIMORE, MD. 21204

RE: HEARING FOR THE FALLS-FAIRFIELD LIMITED PARTNERSHIP REZONING PROPOSAL
ITEM # 11 - # R-87-97

GENTLEMEN:

PLEASE ADVISE ME OF THE DATE AND LOCATION FOR THE PUBLIC HEARING TENTATIVELY SCHEDULED BY THE BALTIMORE COUNTRY PLANNING BOARD FOR THE WEEK OF OCTOBER 13, 1986 FOR THE REZONING REQUEST BY THE FALLS-FAIRFIELD LIMITED PARTNERSHIP FOR THE PARCEL OF LAND ON THE SOUTHEAST CORNER OF STANTON AND LAKE AVENUES. I AM PRESIDENT OF THE LAKE FALLS IMPROVEMENT ASSOCIATION AND OUR ASSOCIATION INTENDS TO MAKE A FORMAL PRESENTATION AT THE HEARING.

THANK YOU IN ADVANCE FOR YOUR ASSISTANCE IN THIS MATTER.

SINCERELY,

H. B. Caldwell

H. B. CALDWELL

WRIGHT, CONSTABLE & SKEEN

ATTORNEYS AT LAW
SUN LIFE BUILDING
CHARLES CENTER
BALTIMORE, MD 21201
(301) 532-5541
TELEX 710 234-2483 CALDAS

ELKTON OFFICE
138 E. MAIN ST.
ELKTON, MD 21921
(301) 398-1844

July 22, 1986

Mr. William Hackett
Baltimore County
Board of Appeals
Courthouse
Towson, Maryland 21204

Re: Zoning Reclassification Petitions
Cycle III-1986
Item Nos. 10 and 11

Dear Mr. Hackett:

I represent the Ruxton-Riderwood-Lake Roland Area Improvement Association whose representatives appeared and testified in opposition to the above-referenced Zoning Reclassification Petitions before the Baltimore County Planning Board. It is my understanding that the hearing on these items are to be scheduled between October 6-19, 1986.

Kindly enter the appearance of the undersigned in these proceedings and direct all notices and correspondence to my attention. Please let me know if there are any additional requirements in order for my client to be heard at the hearing on these matters.

Very truly yours,

Kenneth F. Davies

KFD/pnp

CHRISTOPHER J. RUSSO, JR.
STEPHEN F. WHITE
BRIAN S. GOODMAN
ROBERT W. EMBERTSON
RICHARD M. BASKETT
STEPHEN R. KAUFFMAN
KENNETH F. DAVIES

OF COUNSEL
JOHN D. ALEXANDER
EDWARD S. ROBERTSON
GEORGE H. DOWELL
WILLIAM A. SKEEN
JOSEPH T. CHADWICK, JR.
WM. PEPER CONSTABLE
1887-1976
JOHN D. WRIGHT
1903-1976

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

October 1, 1986

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

Chairman

MEMBERS

Bureau of Engineering

Department of Traffic Engineering

State Roads Commission

Bureau of Fire Prevention

Health Department

Project Planning

Building Department

Board of Education

Zoning Administration

Industrial Development

John B. Howard, Esquire
210 Allegheny Avenue
Towson, Maryland 21204

RE: Item No. 11 - Cycle No. III
Petitioner: Falls Fairfield Limited Partnership
Reclassification Petition

Dear Mr. Howard:

This reclassification petition has been timely filed with the Board of Appeals for a public hearing within the April-October reclassification cycle (Cycle III). It has been reviewed by the zoning office as to form and content and has also been reviewed by the Zoning Plans Advisory Committee. The review and enclosed comments from the Committee are intended to provide you and the Board of Appeals with an insight as to possible conflicts or problems that could arise from the requested reclassification or uses and improvements that may be specified as part of the request. They are not intended to indicate the appropriateness of the zoning action requested.

If it has been suggested that the petition forms, descriptions, briefs, and/or the site plans be amended so as to reflect better compliance with the zoning regulations and/or commenting agencies' standards and policies, you are requested to review these comments, make your own judgment as to their accuracy and submit the necessary amendments to this office before October 15, 1986. In the event that any requested amendments are not received prior to this date, the petition will be advertised as originally submitted.

In view of the fact that the submitted site plan does not indicate a proposed use at this time, the comments from this Committee are general in nature. If the request is granted and an additional hearing is required at a later date, more detailed comments will be submitted at that time.

If you have any questions concerning the enclosed comments, please feel free to contact the Zoning Office at 494-3391 or the commenting agency.

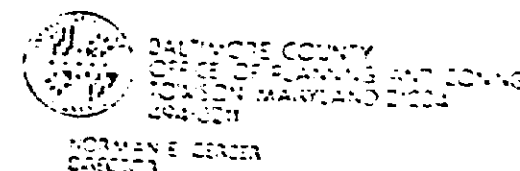
Very truly yours,

James E. Oyer
JAMES E. OYER
Chairman
Zoning Plans Advisory Committee

JED:kkL (MS018)

Enclosures

cc: APR Associates, Inc.
7427 Harford Road
Baltimore, Maryland 21234



Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

APRIL 22, 1986

Re: Zoning Advisory Meeting of Cycle III - Reclass.
Item # 11 - Cycle III
Property Owner: Falls Fairfield Lim. Part.
Location: SE from the cor. of Lake Ave. and Stanton Ave.
Ave. + Stanton Ave.

Dear Mr. Jablon:

The Division of Current Planning and Development has reviewed the subject petition and offers the following comments. The items checked below are applicable.

- ☒ There are no site planning factors requiring comment. **AT THIS TIME**
- ☒ A County Review Group meeting is required.
- ☒ A County Review Group meeting was held and the minutes will be forwarded by the Bureau of Public Services.
- ☒ This site is part of a larger tract; therefore it is defined as a subdivision. The plan must show the entire tract.
- ☒ A record plat will be required and must be recorded prior to issuance of a building permit.
- ☒ The access is not satisfactory.
- ☒ The circulation on this site is not satisfactory.
- ☒ The parking development is not satisfactory.
- ☒ Parking calculations must be shown on the plan.
- ☒ This property contains soils which are defined as wetlands, and development on these soils is prohibited.
- ☒ Construction in or alteration of the floodplain is prohibited under the provisions of Section 22-53 of the Development Regulations.
- ☒ Development of this site may constitute a potential conflict with the Baltimore County Master Plan.
- ☒ The amended Development Plan was approved by the Planning Board on [blank].
- ☒ Landscaping: Use comply with Baltimore County Landscape Manual.
- ☒ The property is located in a deficient service area as defined by Bill 173-79. No building permit may be issued until a Reserve Capacity Use Certificate has been issued. The deficient service is [blank].
- ☒ The property is located in a traffic area controlled by a "T" level intersection as defined by Bill 172-79, and as conditions change the intersection may require more limited. The Basic Services Areas are re-evaluated annually by the County Council.
- ☒ **IF SUBJECT PROPERTY IS REZONED ANY FUTURE DEVELOPMENT OF THE SITE MUST MEET THE REQUIREMENTS OF BILL 56-87 "THE DEVELOPMENT REGULATIONS."**

cc: James Hackett

Eugene A. Deber
Chief, Current Planning and Development



BALTIMORE COUNTY
DEPARTMENT OF TRAFFIC ENGINEERING
TOWSON, MARYLAND 21204
494-3550

STEPHEN E. COLLINS
DIRECTOR

May 19, 1986

Mr. William Hackett, Chairman
Board of Appeals
Office of Law, Courthouse
Towson, Maryland 21204

Cycle III
Item No. 11
Property Owner: Falls Fairfield Limited Partnership
Location: SE from the cor. of Lake Ave. and Stanton Ave.
Existing Zoning: D.R. 5.5
Proposed Zoning: B.L.
Acres: 0.58 acres
District: 9th Election District

Dear Mr. Hackett:

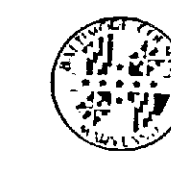
The existing D.R. 5.5 zoning can be expected to generate approximately 30 trips per day, and the proposed B.L. zoning can be expected to generate approximately 290 trips per day.

Stanton Avenue is not an alley, but a public street, and the plan should be changed. Curb, gutter, pavement widening, and sidewalks will be needed along the entire frontage of the site, including Stanton Avenue and Lake Avenue if the zoning change is granted.

Very truly yours,

Gregory M. Jones
Gregory M. Jones
Traffic Engineer II

GW:lt



BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204-2566
494-4500

PAUL H. RENCKE
CHIEF

May 13, 1986

Mr. Arnold Jablon
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Attention: William Hackett
Chairman, County Board of Appeals

RE: Property Owner: Falls Fairfield Limited Partnership

Location: SE from the cor. of Lake Ave. and Stanton Avenue

Item No. 11 Zoning Agenda: Cycle III
4/86 - 10/86

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

(*) 1. Fire hydrants for the referenced property are required and shall be located at intervals or 300 feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.

() 2. A second means of vehicle access is required for the site.

() 3. The vehicle dead end condition shown at [blank]

EXCEEDS the maximum allowed by the Fire Department.

() 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

() 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 edition prior to occupancy.

() 6. Site plans are approved, as drawn.

() 7. The Fire Prevention Bureau has no comment at this time.

REVIEWED: *Gregory M. Jones* Noted and Approved: *John F. O'Neill*
Planning Group
Special Inspection Division
Fire Prevention Bureau

/mb

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

William F. Hackett - Chairman
TO: Appeals Board Date: June 24, 1986
Charles E. "Red" Burnham
FROM: Plans Review Chief, Department of Permits & Licenses

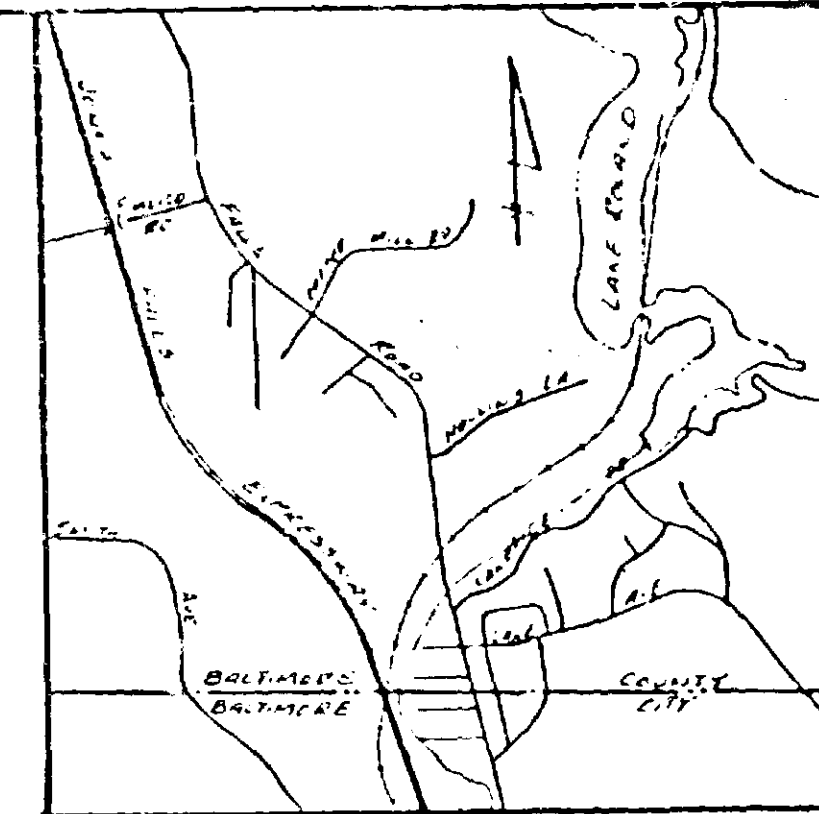
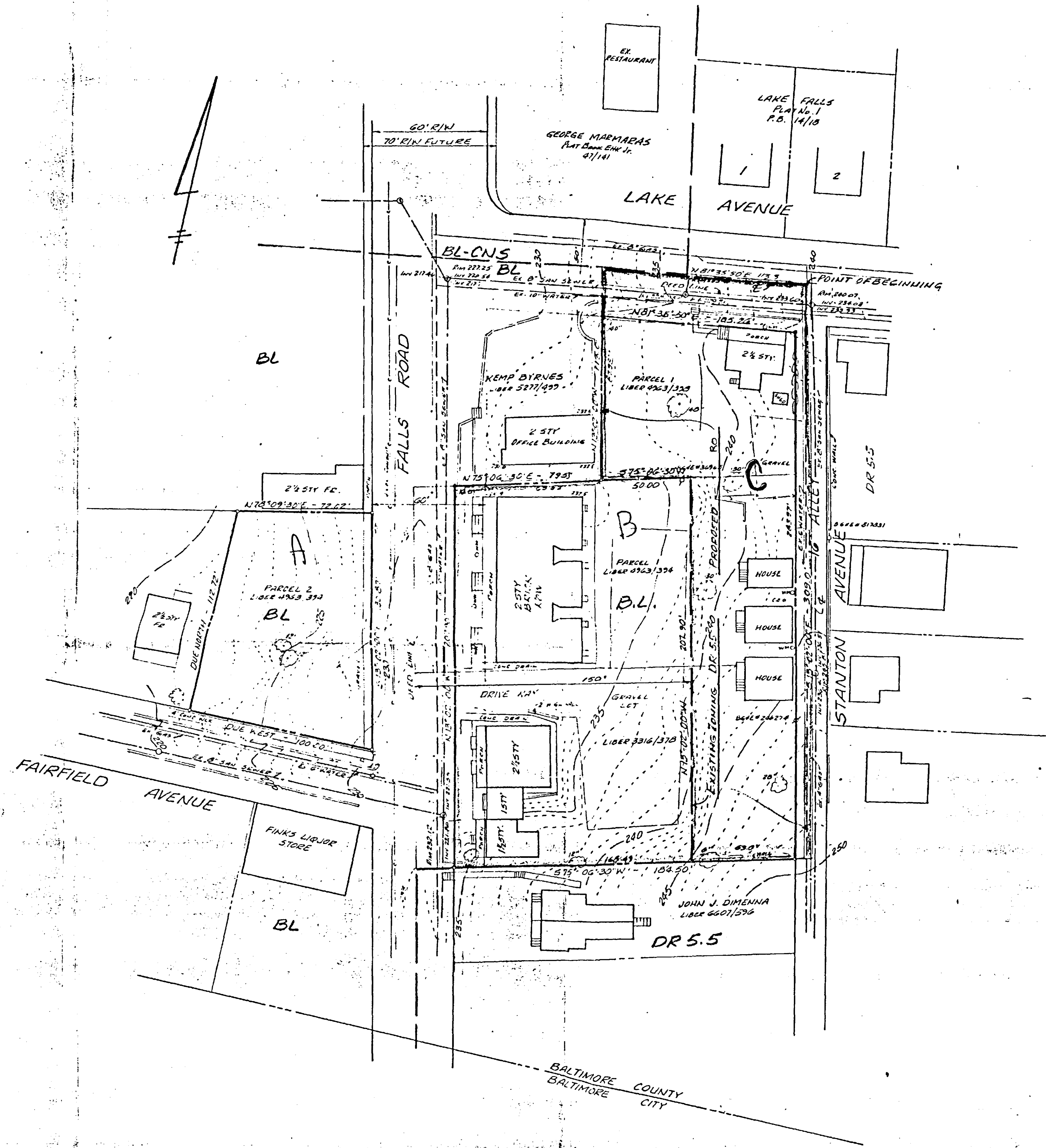
SUBJECT: April - October 1986 - Zoning Classification - Cycle III

Item #11
Property Owner: Falls Fairfield Limited Partnership
Contract Purchaser:
Location: SE from the corner of Lake Avenue and Stanton Ave.
Existing Zoning: D.R. 5.5
Proposed Zoning: B.L.
Acres: 0.58 Acres
District: 9th. Election District

Should any of the existing structures be proposed for future commercial uses, Sections 103.2 and Section 505.1 would be applicable. The applicant should be aware of the height limitations for various uses under Table 501.0 especially for wood frame structures classified as 5B construction.

b. further comment at this time.

CEB/vw



VICINITY MAP
SCALE: 1"=1,000'

GENERAL NOTES

- 1) BEARINGS SHOWN ARE BASED ON THE TRUE MERIDIAN AS ESTABLISHED FOR THE BALTIMORE COUNTY METROPOLITAN DISTRICT
- 2) ELEVATIONS ARE BASED ON BALTIMORE COUNTY DATUM: HUB No 11851 ELEVATION 258.24
- 3) IRON BARS SET AT PROPERTY CORNERS.
- 4) AREA OF PROPERTY:
PARCEL ON EAST SIDE FALLS ROAD 1.0776 AC
PARCEL ON WEST SIDE FALLS ROAD 0.2392 AC
- 5) AREA OF PROPERTY TO BE RECLASSIFIED FROM
DR 5.5 TO RD 0.58 ACRES

DEED OF DIRECTOR

III - II

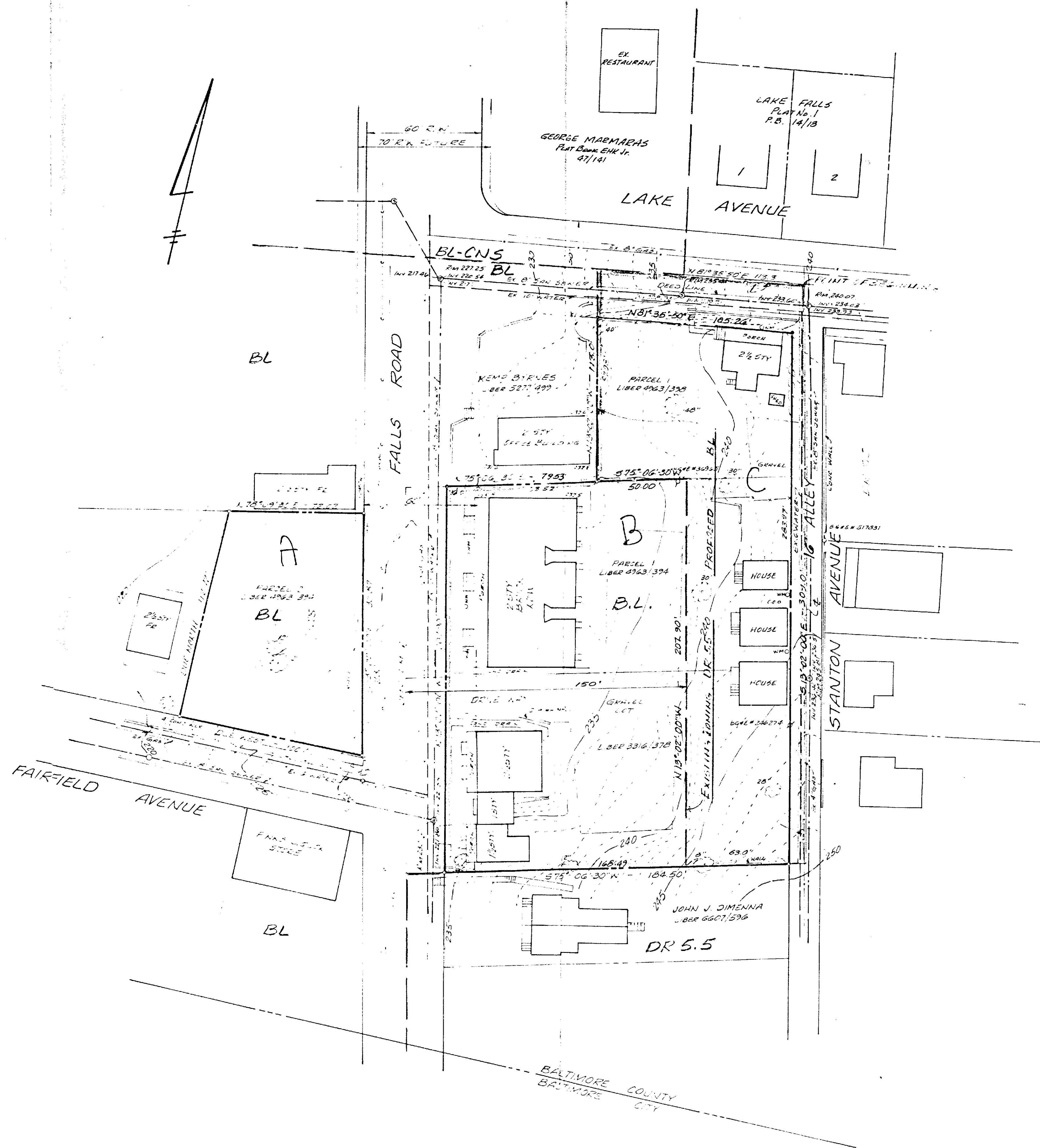
apr associates, inc.
surveyors-engineers

204-206 E. MAIN STREET
BALTIMORE, MD 21201
PHONE 398-5186

PLAT TO ACCOMPANY
PETITION FOR RECLASSIFICATION
FALLS LAKE COMMONS

NINTH ELECTION DISTRICT
BALTIMORE COUNTY
MARYLAND

SCALE: 1"=30'
FEBRUARY 27, 1986



GENERAL NOTES

- 1) BEARINGS SHOWN ARE BASED ON THE TRUE MERIDIAN AS ESTABLISHED FOR THE BALTIMORE COUNTY METROPOLITAN DISTRICT
- 2) ELEVATIONS ARE BASED ON BALTIMORE COUNTY DATUM: H.B. NO. 11851 ELEVATION 258.24
- 3) IRON BARS SET AT PROPERTY CORNERS
- 4) AREA OF PROPERTY:
PARCEL ON EAST SIDE FALLS ROAD 1.1076 AC
PARCEL ON WEST SIDE FALLS ROAD 0.2382 AC
- 5) AREA OF PROPERTY TO BE RECLASSIFIED
DR 5.5 1.3458 AC

R-87-97
City of Baltimore
Item 11

apr associates, inc.
surveyors-engineers

PLAT TO ACCOMPANY
PETITION FOR RECLASSIFICATION
FALLS LAKE COMMONS

AND SELECTED DISTRICT
PARCLES TO BE
RECLASSIFIED

FEBRUARY 12, 1986